

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10062 OF 2004

Khemee Dyeing & Bleaching Works

...Petitioner

Versus

The Secretary, Cloth Market & Shops Board
(For Greater Bombay, Thane & Raigad District)
Respondents

...

Mr. Piyush Shah and Mr. P.N. Anaokar for the Petitioner

Mrs. Lata S. Desai for the Respondent.

**CORAM: DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.**

DATE: MARCH 11, 2005.

P.C.

1. The petitioner has approached the Court with the prayer that the order dated 2nd September, 2004 passed by the respondent be set aside. The petitioner has also prayed that the respondent be restrained from initiating steps towards recovery of the amount of Rs.5,02,804/- from the petitioner.

2. The case of the petitioner is that it got the work carried out by the permanent employees of the Company; and in this view of the matter, it was not under an obligation to employ *Mathadi* workers. This contention is not accepted by the respondent.

3. We, therefore, direct the respondent to give hearing to the petitioner and also accept any document which it submits in support of its contention, and decide the controversy by a reasoned order, after affording a hearing to the petitioner, within six weeks from the date of receipt of the order, on the petitioner's furnishing a Bank Guarantee of a Nationalised Bank for the amount of Rs.5,02,804/- to the satisfaction of the respondent.

4. No further directions are necessary. This petition is, accordingly, disposed of.

CHIEF JUSTICE

S.A. BOBDE, J.